CALLEGUAS CREEK

Watershed Management Plan

A COOPERATIVE STRATEGY FOR
RESOURCE MANAGEMENT & PROTECTION

December 19, 2008

Tam M. Doduc, Chair and Members
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

Transmitted via e-mail to commentletters@waterboards.ca.gov

SUBJECT: **COMMENT LETTER - PROPOSED RECYCLED WATER POLICY**

Dear Chair Doduc and Members of the Board:

The Steering Committee of the Calleguas Creek Watershed Management Program appreciates the opportunity to comment on and provide support for adoption of the proposed Recycled Water Policy (Policy). The Calleguas Creek Watershed (CCW), located in Ventura County, has been actively engaged in a watershed planning process since 1996 and the development and implementation of Total Maximum Daily Loads (TMDLs) since 2000. During that time, the stakeholder group and the Los Angeles Regional Water Quality Control Board (RWQCB) have developed TMDLs for multiple pollutants, including salts and nutrients. Additionally, the watershed has developed watershed management plans, including participation in the Watersheds Coalition of Ventura County's integrated regional water management plan (IRWMP). Through the TMDL and IRWMP processes, a number of strategies have been developed to address water quality and water resource needs within the watershed. Many of these strategies involve management and effective use of recycled water.

The watershed planning and TMDL process in the CCW has resulted in the development of implementation plans to manage salts, nitrate, and other pollutants in the watershed. The implementation plans are integrated plans to protect surface water and groundwater quality. We appreciate the fact that the State Policy recognizes the local conditions and planning processes that impact the use of recycled water. We feel that the policy allows for the implementation plans already underway in the Calleguas Creek Watershed to move forward successfully. Additionally, we support the consideration of recycled water use in setting TMDL wasteload allocations for POTWs. However, we have a few clarifications that we would like to submit for the Board's consideration.

To effectively manage salts in the CCW, stakeholders have determined that a watershed-wide management plan is needed. The CCW Salts TMDL implementation is based on the concept of developing a watershed salt balance to ensure that salts do not accumulate in the soils and groundwater basins in the watershed. To achieve this goal, implementation strategies have been developed that span the entire watershed and consider the overall salt balance and locations of key beneficial uses rather than focusing on an individual groundwater basin. Managing salts using a basin-by-basin approach could adversely impact downstream groundwater basins and surface waters in the watershed (as determined by modeling and the CCW Salts TMDL) and prevent implementation of watershed strategies that most cost effectively protect beneficial uses. As a result, we request that the policy more clearly recognize that Salt/Nutrient Management Plans can be adopted on a watershed basis. We recognize that the Policy discussion of management of sources on a "basin-wide or watershed-wide basis" in the Salt/Nutrient Management Plan introduction section. However, we request that the intent of this language in the introduction be carried through the rest of Section 6 by changing the references to "groundwater basin/sub-basin" to "groundwater basin/sub-basin or watershed." These suggested changes are included as an attachment to this letter.

Additionally, in Section 7.b.4., the last sentence of the section states that effluent monitoring for landscape irrigation projects must include annual Constituents/Chemicals of Emerging Concern (CEC) and priority pollutant monitoring with specified frequencies. Priority pollutant monitoring is already included in most NPDES discharge permits and CEC monitoring is being included in the most recent wastewater permits for the Calleguas Creek Watershed. Additionally, CEC monitoring is required to be part of the Salt/Nutrient Management Plan monitoring based on the recommendations of the CDPH expert panel. The draft Policy mandates use of a particular minimum effluent monitoring frequency for landscape irrigation projects without regard to the circumstances of the project, existing wastewater permit monitoring requirements or the recommendations of the expert scientific panel to be established. In the CCW, we feel that existing effluent monitoring requirements and monitoring to be established in the Salt/Nutrient Management Plan should be sufficient to characterize CECs and priority pollutants in recycled water and the

policy should not include mandated monitoring requirements that prevent consideration of individual project circumstances. To address this concern, we suggest the following language changes to the last sentence of Section 7.b.4.:

> Landscape irrigation projects shall include effluent monitoring requirements appropriate to the project that are not addressed by existing effluent monitoring requirements, are based on recommendations of the CPDH expert panel, and are consistent with the salt/nutrient management plan. ~~s shall include, in addition to any other appropriate effluent monitoring requirements, effluent monitoring for CECs on an annual basis and priority pollutants on a twice annual basis.~~

Finally, we support the clarification comments being proposed by The Association of California Water Agencies (ACWA), the California Association of Sanitation Agencies (CASA) and the WateReuse Association. If you have any questions regarding these comments, please contact Henry Graumlich by e-mail at hgraumlich@calleguas.com, or by phone at 805-579-7127. Thank you for your consideration.

Very truly yours,

Donald R. Kendall, Ph.D., P.E.
Chair, Calleguas Creek Watershed Steering Committee

Attachment: Revisions to Section 6

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6. *Salt/Nutrient Management Plans*

a. *Introduction.*

(1) Some groundwater basins in the State contain salts and nutrients that exceed or threaten to exceed water quality objectives established in the applicable Water Quality Control Plans (Basin Plans), and not all Basin Plans include adequate implementation procedures for achieving or ensuring compliance with the water quality objectives for salt or nutrients. These conditions can be caused by natural soils/conditions, discharges of waste, irrigation using surface water, groundwater or recycled water and water supply augmentation using surface or recycled water. Regulation of recycled water alone will not address these conditions.

(2) It is the intent of this Policy that salts and nutrients from all sources be managed on a basin-wide or watershed-wide basis in a manner that ensures attainment of water quality objectives and protection of beneficial uses. The State Water Board finds that the appropriate way to address salt and nutrient issues is through the development of regional or subregional salt and nutrient management plans rather than through imposing requirements solely on individual recycled water projects.

b. Adoption of Salt/ Nutrient Management Plans.

(1) The local water and wastewater entities, together with local salt/nutrient contributing stakeholders have agreed to fund (see letter dated _____ attached to the Resolution adopting this Policy) locally driven and controlled, collaborative processes open to all stakeholders that will prepare salt and nutrient management plans for each basin / sub-basin or watershed in California, including compliance with CEQA including participation by Regional Water Board staff.

(a) It is the intent of this Policy for every groundwater basin/sub-basin or watershed in California to have a consistent salt/nutrient management plan. The degree of specificity within these plans and the length of these plans will be dependent on a variety of site-specific factors, including but not limited to size and complexity of a basin, source water quality, stormwater recharge, hydrogeology, and aquifer water quality. It is also the intent of the State Water Board that because stormwater is typically lower in nutrients and salts and can augment local water supplies, inclusion of a significant stormwater use and recharge component within the salt/nutrient management plans is critical to the long-term sustainable use of water in California. Inclusion of stormwater recharge is consistent with State Water Board Resolution 2005-06, which establishes sustainability as a core value for State Water Board programs and also assists in implementing Resolution 2008-30, which requires sustainable water resources management and is consistent with Objective 3.2 of the State Water Board Strategic Plan Update dated September 2, 2008.

(b) Salt and nutrient plans shall be tailored to address the water quality concerns in each basin / sub-basin or watershed and may include constituents other than salt and nutrients that impact water quality in the basin / sub-basin or watershed. Such plans shall address and implement provisions, as appropriate, for all sources of salt and/or nutrients to groundwater basins, including recycled water irrigation projects and groundwater recharge reuse projects.

(c) Such plans may be developed or funded pursuant to the provisions of Water Code sections 10750 *et seq.* or other appropriate authority.

(d) Salt and nutrient plans shall be completed and proposed to the Regional Water Board within five years from the date of this Policy unless a Regional Water Board finds that the stakeholders are making substantial progress towards completion of a plan. In no case shall the period for the completion of a plan exceed seven years.

(e) The requirements of this paragraph shall not apply to areas that have already completed a Regional Water Board approved salt and nutrient plan for a basin, sub-basin or other regional planning area that is functionally equivalent to section 6(b)3.

(f) The Plans may, depending upon the local situation, address constituents other than salt and nutrients that adversely affect the groundwater quality.

(2) Within one year of the receipt of a proposed salt and nutrient management plan, the Regional Water Boards shall consider for adoption revised implementation plans, consistent with Water Code section 13242, for those groundwater basins within their regions where water quality objectives for salts or nutrients are being, or are threatening to be, exceeded. The implementation plans shall be based on the salt and nutrient plans required by this Policy.

(3) Each salt and nutrient management plan shall include the following components:

(a) A basin / sub-basin or watershed wide monitoring plan that includes an appropriate network of monitoring locations. The scale of the basin / sub-basin or watershed monitoring plan is dependent upon the site-specific conditions and shall be adequate to provide a reasonable, cost-effective means of determining whether the concentrations of salt, nutrients and other constituents of concern as identified in the salt and nutrient plans are consistent with applicable water quality objectives. Salts, nutrients and the constituents identified in paragraph 6(b)(1)(f) above shall be monitored. The frequency of monitoring shall be determined in the salt/nutrient management plan and approved by the Regional Board pursuant to paragraph 6(b)(2) above.

(i) The monitoring plan must be designed to determine water quality in the basin. The plan must focus on basin water quality near water supply wells and areas proximate to large water recycling projects,

particularly groundwater recharge projects. Also, monitoring locations shall, where appropriate, target groundwater and surface waters where groundwater has connectivity with adjacent surface waters.

(ii) The preferred approach to monitoring plan development is to collect samples from existing wells if feasible as long as the existing wells are located appropriately to determine water quality throughout the most critical areas of the basin.

(iii) The monitoring plan shall identify those stakeholders responsible for conducting, compiling, and reporting the monitoring data. The data shall be reported to the Regional Water Board at least every three years.

(b) A provision for annual monitoring of Emerging Constituents/Constituents of Emerging Concern (e.g., endocrine disrupters, personal care products or pharmaceuticals) (CECs) consistent with recommendations by CDPH and considering the recommendations of the expert panel.

(c) Water recycling and stormwater recharge/use goals and objectives.

(d) Salt and nutrient source identification, basin / sub-basin or watershed assimilative capacity and loading estimates, together with fate and transport of salts and nutrients.

(e) Implementation measures to manage salt and nutrient loading in the basin or watershed on a sustainable basis.

(f) An antidegradation analysis demonstrating that the projects included within the plan will, collectively, satisfy the requirements of Resolution 68-16.

(4) Nothing in this Policy shall prevent stakeholders from developing a plan that is more protective of water quality than applicable standards in the Basin Plan. No Regional Water Board, however, shall seek to modify Basin Plan objectives without full compliance with the process for such modification as established by existing law.

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[End of Attachment]